CONSERVATION COMMISSION AGENDA MAY 16, 2012 7:00 PM

TOWN HALL - 472 MAIN STREET - ROOM 204

- 7:15 <u>Abbreviated Notice of Resource Area Delineation</u> 267 Great Road Stephen Steinberg (010) Stamski & McNary / B & C Associates (town atlas plate E-5, parcel 13)
- 7:30 Request for Determination 8 Horseshoe Drive Dave Brown (020)

 Stamski & McNary: work associated with the proposed replacement of an existing sewage disposal system within 100' of a wetland (town atlas plate G-4, parcel 49-15).
- 7:45 <u>Abbreviated Notice of Resource Area Delineation</u> 180 Newtown Road Ernest Anderson (030) Foresite Engineering / Caron Environmental Consulting (town atlas plate D-3, parcel 10)
- 8:00 <u>Continuation Notice of Intent</u> 18 Wheeler Lane Town of Acton Natural Resources Dept.

Proposed installation of an accessible trail, observation platform and landscaping, within 100' of wetlands and within 200' of Nashoba Brook.

Request for Certificate of Compliance - 20 Summer Street - 85-1044 (050)

RESIGN Certificate of Compliance - 81 River Street Lot 2A

No vote necessary [Form 8B is amended & reprinted to <u>reflect the vote (Complete Certificate)</u> of the ConCom on 5/2 versus what the engineer originally requested prior to the 4/18 meeting - (partial certificate)]

MINUTES

February 29 osrp

outstanding

April 18

awaiting comment

May 2

forthcoming

CONSERVATION COMMISSION MINUTES MAY 16, 2012 7:00 PM

TOWN HALL - 472 MAIN STREET - ROOM 204

COMMISSIONERS PRESENT:

Terry Maitland, Amy Green, Fran Portante, Jim Colman, Bill Froberg,

Tom Arnold

CONSERVATION ADMINISTRATOR & RECORDING SECRETARY:

VISITORS: George Dimakarakos

7:15 Abbreviated Notice of Resource Area Delineation - 267 Great Road - DEP #85-1071 (010)

Applicant: Stephen Steinberg (town atlas plate E-5, parcel 13).

Engineer: Stamski & McNary / B & C Associates

(town and plate 2 e, parcer 10).

Ms. Green, Mr. Arnold and Mr. Froberg walked the property.

George Dimakarakos from Stamski & McNary presented wetland delineation plans; the resource area at the southeast corner of the property is defined at an Isolated Wetland (Flags WF A1 - A16) that does not exhibit vernal pool characteristics. The Vegetated Wetland located to the east of the site on abutting property and is more than 100' from the site, also does exhibit vernal pool characteristics.

Mr. Maitland expressed concern regarding the removal of junk and debris from the isolated wetland area. Mr. Dimakarakos reported that all large pieces of debris have been removed; the Commission can work with the developer to remove smaller trash and debris.

Mr. Arnold expressed concern noting that the majority of the resource areas are located, off site, on the abutting property and that the approved wetland line will impact future use of the abutting property without notification to the property owner.

Mr. Froberg noted that the Commission can focus on the review of the Wetland Flag numbers on the site and not on the abutting property.

Ms. Green noted that the Order of Resource Area Delineation (ORAD) can specifically note the Wetland Flag numbers on the site (WF *A1*, *A2*, *A3*, A15, A16 and A14 on the property line).

Order of Resource Area Delineation - 267 Great Road - DEP #85-1089

Mr. Arnold moved that the Commission find the Delineation as Accurate specifically referencing Wetland Flags A1, A2, A3, A14, A15, A16; Wetland Flags A12 & A13 are approved to determine the use of the 100' buffer zone. Wetland Flags A1 through A6 on the abutting property were approved in a previous ORAD for 263-265 Great Road, DEP File 85-1071, and are more than 100' from the property boundary.

Mr. Colman 2nd: motion passed unanimously.

[See file in the Conservation Office also located in DocuShare: Conservation Commission - 2012 Meetings 05-16-2012 - (010) and Wetland Filings - 267 Great Road.]

7:30 Request for Determination - 8 Horseshoe Drive - Dave Brown (020)

George Dimakarakos from Stamski & McNary presented plans for work associated with the proposed replacement of an existing sewage disposal system within 100' of a wetland (town atlas

plate G-4, parcel 49-15). The wetland resource area is on the opposite side of Horseshoe Drive, grading and landscaping will occur within 100' of wetlands.

Upon query by Mr. Maitland, Mr. Dimakarakos reported that the Board of Health has issued a permit for the proposed replacement. The proposed system will be located outside of the 100' buffer zone; the proposed breakout area will be a maximum of three feet in height.

Upon query by Ms. Portante, Mr. Dimakarakos reported that the old existing system is on the opposite side of the house.

Mr. Arnold expressed concern that the Commission would be approving the wetland delineation on abutting property without notifying the abutter.

Determination of Applicability - 8 Horseshoe Drive

Ms. Portante moved that the Commission find the work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent (-3). The Commission also notes that the subject resource areas as depicted on the plan are off site, on adjacent properties; the Commission has not determined that the delineations made on abutting properties is a binding delineation; Mr. Froberg 2nd, unanimous.

[See file in the Conservation Office also located in DocuShare: Conservation Commission - 2012 Meetings 05-16-2012 - (020) and Wetland Filings - 8 Horseshoe Drive.]

7:45 Abbreviated Notice of Resource Area Delineation - 180 Newtown Road - Ernest Anderson (030)

Foresite Engineering / Caron Environmental Consulting (town atlas plate D-3, parcel 10)

In the absence of the representing engineer, Mr. Maitland continued the hearing until June 20 at 7:15 PM. The Commission gave a brief overview of the delineation process noting that a series of site walks would take place prior to the June 20th hearing continuation.

8:00 Continuation - Notice of Intent - 18 Wheeler Lane

Mr. Maitland continued the hearing until June 6 at 8:00 PM.

Request for Redline Change - 294 Main Street - DEP #85-1056

George Dimakarakos from Stamski & McNary requested the Commission to accept a change to the approved plans for 294 Main Street.

Mr. Froberg moved that the Commission accept the request for a redline change to be added to the June 6 agenda. Ms. Green 2nd, unanimous.

[See file in the Conservation Office also located in DocuShare: Conservation Commission - 2012 Meetings <u>06-06-2012</u> - (0010) and Wetland Filings - 294 Main Street]

Request for Certificate of Compliance - 20 Summer Street - 85-1044

Ms. Portante moved that the Commission issue a Certificate of Compliance as recommended by Mr. Tidman. Mr. Arnold 2nd, unanimous.

8:50 Meeting adjourned.

Terry Maitland

Chair

TT:ahr Ahr.concom.minutes.2012.05-06-2012 ahr rec'd 5/23pm

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